

REMARKS

Claim 1-16 are pending in the present application. With entry of this Amendment, Applicant amends claims 1 and 16. Reexamination and reconsideration are respectfully requested.

Applicant notes with appreciation that the Examiner has objected to claims 2-15 as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant notes that claim 8 is an independent claim. Therefore, Applicant respectfully submits that claim 8 and its dependent claims 9-15 are in condition for allowance and respectfully requests that the Examiner withdraw the objection to claims 8-15.

One embodiment of the present invention is directed to a music rack. A conventional music rack holds a musical score for a player to view through a desk board and prop arrangement illustrated in Fig. 1. The desk board 2, which holds the musical score 9, is positioned by engaging the prop 3 in one of the notches 6. The inclination angle of the desk board increases or decreases in a stepwise manner corresponding to the notches 6. Because the notches are pre-set, the number of available inclination angles is limited. The player thus cannot choose the inclination angle that he or she desires, but rather must accept one of the available inclination angles. Moreover, the arrangement in Fig. 1 is difficult to manipulate (especially by children) and is not aesthetically pleasing.

The present invention allows a player to set, without complicated manipulation and in an aesthetically pleasing manner, the inclination angle that he or she desires. For example, one embodiment directed to a music rack is illustrated in Figs. 3-5 and discussed at page 7, line 18 to page 12, line 7 of the specification. The *stepless* music rack 10 does not have a prop and stepwise notches. Rather, the music rack 10 includes an attitude changer 12 (see Figs. 3 and 5). The attitude changer 12 achieves a stepless regulation of the desk board 11 through a one-way clutch and releaser. The player can set the desk board at *any* inclination angle in a given range by simply pulling the desk board to the desired angle. The stepless music rack is thus not limited to a pre-set

number of inclination angles based on stepwise notches and is easier to use and more aesthetically pleasing than a desk board-prop music rack.

Applicant has amended claims 1 and 16 to more clearly claim the present invention. Claim 1, as amended, recites an attitude changing system “permitting said desk board to unidirectionally change the position *in a stepless manner* from said rest position to said maximum attitude angle position” (emphasis added). Claim 16 has been similarly amended. Applicant respectfully requests the entry of the Amendment.

The Examiner rejected claims 1 and 16 under 35 U.S.C. § 102(b) as being anticipated by Hammer (US 4463651). This rejection is respectfully traversed. Applicant respectfully submits that claims 1 and 16 – in the original form – are not anticipated by Hammer.

Hammer is directed to a page-turning device. The device includes a holder 2 for holding book 4. The holder 2 includes a bottom horizontal leg 30 for the supporting the book, a backing member 32 forming a backing wall for supporting the back of the book and an arm 34 for clamping the book to the backing member 32 (see Figs. 1 and 3; col. 3, lines 19-31). Figs. 5a-5d illustrate the operation of the page-turning units 10a/10b while Figs. 6a-6d illustrate the movement of fingers 38b and 40b for arcing the page to be turned.

The Examiner cites holder 2 and Figs. 6a-6d as teaching the desk board recitation of claims 1 and 16. Applicant has studied Hammer but fails to see where it discloses a desk board “changed from a rest position through a maximum attitude angle position to a release position” as recited in original claims 1 and 16. Figs. 5a-5d and 6a-6d and the accompanying specification disclose that the manner in which the *pages* of the book are turned. The holder 2 – horizontal leg 30, backing member 32 and arm 34 – remain in place during the entire page-turning operation. Thus, Hammer does not teach the desk board recitation.

Nor does Hammer disclose the attitude changing systems of unamended claims 1 and 16. The selector knob 54 cited by the Examiner allows the user to choose the direction of page turning (see col. 4, lines 7-10). It does not change the position of the horizontal leg 30 or backing member

32 which support the book. Thus, it does disclose permitting the desk board to change position as recited in original claims 1 and 16.

Accordingly, Applicant respectfully submits that claims 1 and 16 are not anticipated for Hammer for the reasons set forth above. Each of the presently pending claims in this application is believed to be in immediate condition for allowance. The Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicant requests that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032030100.

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Respectfully submitted,

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